

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62446 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

BHBAN YADAV @ BHAVAN YADAV @ BHUWAN YADAV Son of Late
Bahar Yadav @ Bahuru Yadav Resident of village - Lohna (West), P.S.-
Bhairav Sthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399,402,414 of the Indian Penal Code.

The prosecution case, in short, is that during patrolling, a driver with pick-up van complained of attempt of looting by the petitioner, who was driving Scorpio bearing Delhi registration number, without having any valid RC document.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has not committed any offence. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the seizure list that nothing has been recovered from possession of the petitioner in fact only Scropio has been recovered and the petitioner is neither the owner nor driver of the said vehicle in question. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 26.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhairavsthan Police Station Case No.74 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

